

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CASE NO: 5:17-CV-356

RICARDO MONDRAGON, EUSTORGIO)
ESPINOBARROS FELICIANO,)
JUAN CONTRERAS, CUTBERTO ORTIZ)
HERNÁNDEZ, ALEJANDRO JIMENEZ)
GONZALEZ, RENATO ROMERO)
ACUÑA, JOSÉ TAPIA, ANASTACIO)
LOPEZ SOLIS, and ABDON QUIRASCO)
SIXTECO, on behalf of themselves and all)
other similarly situated persons,)

Plaintiffs,)

v.)

SCOTT FARMS, INC., ALICE H. SCOTT,)
LINWOOD H. SCOTT, JR., LINWOOD H.)
SCOTT III, DEWEY R. SCOTT, JFT)
HARVESTING INC., JUAN F. TORRES)
OASIS HARVESTING, INC.,)
and RAMIRO B. TORRES)

Defendants.)

ORDER APPROVING CONTENT OF NOTICE TO CLASS MEMBERS
AND METHOD OF DISTRIBUTION OF CLASS NOTICE

This matter is before the Court on the Joint Motion by the named Plaintiffs and Scott Farms, Inc., Alice H. Scott, Linwood H. Scott, Jr., Linwood H. Scott, III, and Dewey R. Scott (collectively the "Scott Defendants") to Approve Notice to Class and Collective Action Members and to Approve Method for Distributing Notice. In support of their Joint Motion, the named Plaintiffs and the Scott Defendants have filed a stipulated notice and method of distribution. The proposed content and method of distribution for that notice are consistent with that previously approved for use in other similar wage actions before

the federal courts of this state. *See Haywood v. Barnes*, 109 F.R.D. 568 (E.D.N.C. 1986). They also appear to be reasonably calculated to provide the best notice practicable under the circumstances of this case.

The proposed Notice to Class Action Members of Proposed Settlement, Deadline for Objections, and Opportunity to Withdraw (the "Notice") is both a neutral and comprehensive document that fairly apprises the Plaintiff Class Members of (i) the pendency of the class action, (ii) the substance of the litigation, (iii) the reasons for compromising the claims, (iv) the terms of the proposed settlement, and (v) the opportunity to withdraw. The Notice also provides the Plaintiff Class Members with an opportunity to obtain any necessary further information, and apprises them of their right to object to the settlement, the objection deadline, and the date of the hearing on this Court's final approval, if any, of the Settlement Agreement.

The Court therefore formally approves the content of the Notice attached to the Joint Motion, as well as the method of distribution for the Notices to class and collective action members set out in the Joint Motion. The Notice shall be distributed to the members of the class previously certified by this Court within thirty (30) days of the date of this Order.

IT IS SO ORDERED.

This the 18 day of November, 2019.



THE HONORABLE LOUISE W. FLANAGAN
U.S. District Judge